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Docket No. 7444/73871/GJG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Andrzej Lipkowski et al.
Serial No. : 10/524,343(a §371 of PCT International Application NO. PCT/PL2003/000077)
Filed : August 7, 2003
For : NEW COMPOUNDS AND THEIR ANALGESIC APPLICATIONS

1185 Avenue of the Americas
New York, New York 10036
January 27, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO JANUARY 23, 2006
NOTIFICATION OF DEFECTIVE RESPONSE IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

This is a Response to the January 23, 2006 Notification of Defective Response in the United States Designated/Elected Office (DO/EO/US) issued by the United States Patent and Trademark Office in connection with the above-identified application. The January 23, 2006 Notice, a copy of which is attached as **Exhibit A**, provides one (1) month for filing a response. Therefore, a response to the January 23, 2006 Notice is due February 23, 2006. Accordingly, this Communication is being timely filed.

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The January 23, 2006 Notice indicates that the oath or declaration does not identify the citizenship of each inventor. In response, applicants submit hereto as **Exhibit B** a signed Declaration for Patent Application pursuant to 37 C.F.R. §1.497(a). In compliance with 37 C.F.R. §1.63, the Declaration refers to the application's above-identified serial number and filing date.

Furthermore, the January 23, 2006 Notice asserted that applicants have not complied with 37 C.F.R. §§ 1.821-1.825. In reply, applicants point out that according to 37 C.F.R. §1.821(a)(2), sequences containing D-amino acids need not be included in a sequence listing. All of the molecules disclosed in the subject application contain at least one D-amino acid. Accordingly a sequence listing is not required.

No fee is deemed necessary in connection with the filing of this Response. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Gary J. Gershik Date
Reg. No. 39,992

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